

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hudson et al.

Docket No.: PF146P1D4

Application No.: Not Yet Assigned

Art Unit: N/A

Filed: Concurrently Herewith

Examiner: Not Yet Assigned

For: Human Choline Acetyltransferase

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorney for Applicants hereby directs the Examiner's attention to references A-W listed on the attached Form PTO/SB/08.

Copies of references A-W were submitted by Applicants or cited by the Examiner in connection with U.S. Application Nos. 08/464,601, filed June 5, 1995, 09/210,993, filed December 15, 1998, 09/939,573, filed August 28, 2001, and 10/177,158, filed June 24, 2002, to which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the files of U.S. Application Nos. 08/464,601, 09/210,993, 09/939,573, and 10/177,158 for copies of references A-W.

The listed references are presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 C.F.R. § 1.104(a) concerning the Examiner's duty to consider and use any such information. Applicants respectfully request that the Examiner make the listed references of record in the file history of the application, and consider the information contained therein during the prosecution of this application.

Identification of the listed references is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants

do not waive any rights to take appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Pursuant to 37 C.F.R. § 1.97(b), this Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits. Accordingly, no fee is believed due. However, should the Patent Office determine otherwise, please charge the required fee to our Deposit Account No. 08-3425.

Dated: 8-29-03

Respectfully submitted,

By 

Melissa J. Pytel

Registration No.: 41,512
HUMAN GENOME SCIENCES, INC.
9410 Key West Avenue
Rockville, Maryland 20850
(301) 610-5764

KKH/MJP/FR/ba

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Peter L. Hudson
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	3	Attorney Docket Number	PF146P1D4

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A	5,278,045	01-11-1994	Du Pont Merck Pharmaceutical Co.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

¹ Applicant's unique citation designation number (optional). ² See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Peter L. Hudson
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	3	Attorney Docket Number	PF146P1D4

OTHER – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	B	MCGEER et al., "Choline Acetyltransferase: Purification and Immunohistochemical Localization," <i>Life Sciences</i> , 34:2319-2338 (1984).	
	C	STRAUSS et al., "Cloning of a Human Choline Acetyltransferase cDNA," <i>Soc. for Neuroscience Abstracts</i> , 11(2):1114 (1985).	
	D	HERSH et al., Isolation of a Genomic Clone of Human Choline Acetyltransferase, <i>Klinische Pharmakologie</i> , 2:15-19 (1989).	
	E	SALVATERRA et al., "Molecular Biology and Neurobiology of Choline Acetyltransferase," <i>Mol. Neurobiol.</i> , 1(3):247-280 (1987).	
	F	OSTERMANN-LATIF et al., "Characterization of Mono- and Polyclonal Antibodies Against Highly Purified Choline Acetyltransferase: A Monoclonal Antibody Shows Reactivity in Human Brain," <i>J. Neurochem.</i> , 58:1060-1065 (1992).	
	G	ROSKOSKI, JR. et al., "Human Brain and Placental Choline Acetyltransferase: Purification and Properties," <i>Biochemistry</i> , 14(23):5105-5110 (1975).	
	H	ODA et al., "A complementary DNA for human choline acetyltransferase induces two forms of enzyme with different molecular weights in cultured cells," <i>Mol. Brain Res.</i> , 16:287-294 (1992).	
	I	LORENZI et al., Two mRNAs Are Transcribed from the Human Gene for Choline Acetyltransferase," <i>DNA and Cell Biology</i> , 11(8):593-603 (1992).	
	J	MALLET et al., "Choline acetyltransferase: a molecular genetic approach," <i>Prog. Brain Res.</i> , 84:3-10 (1990).	
	K	FANN et al., "A novel approach to screen for cytokine effects on neuronal gene expression," <i>J. Neurochem.</i> , 61(4):1349-1355 (Oct. 1993).	
	L	LI et al., "Cholinergic Neuron-Specific Expression of the Human Choline Acetyltransferase Gene Is Controlled by Silencer Elements", <i>J. Neurochem.</i> , 61:748-751 (1993).	
	M	BERRARD et al., "Molecular Genetic Approach to the Study of Mammalian Choline Acetyltransferase", <i>Brain Res. Bull.</i> , 22:147-153 (1989).	
	N	CORTI et al., "Molecular Cloning of cDNAs Encoding Human Carnitine Acetyltransferase and Mapping of the Corresponding Gene to Chromosome 9q34.1," <i>Genomics</i> , 23(1):94-99 (Sept. 1, 1994).	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Peter L. Hudson
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	3	of	3	Attorney Docket Number	PF146P1D4

	O	GenBank Accession No. X78706, CORTI et al., "H.sapiens mRNA for carnitine acetyltransferase," April 8, 1994.	
	P	ESSER et al., "Cloning, Sequencing, and Expression of cDNA Encoding Rat Liver Carnitine Palmitoyltransferase I - Direct Evidence that a Single Polypeptide is Involved in Inhibitor Interaction and Catalytic Function," <i>J. Biol. Chem.</i> , 268(8):5817-5822 (Mar. 15, 1993).	
	Q	GenBank Accession No. A55720, CORTI et al., "carnitine O-acetyltransferase (EC 2.3.1.7) precursor, mitochondrial - human," March 23, 1995.	
	R	GenBank Accession No.H15198, HILLIER et al., "ym30c04.r1 Soares infant brain 1NIB Homo sapiens cDNA clone IMAGE:49788 5' similar to gb:S56138 CHOLINE O-ACETYLTRANSFERASE (HUMAN), mRNA sequence," June 27, 1995.	
	S	GenBank Accession No. R99408, HILLIER et al., "yq71g08.r1 Soares fetal liver spleen 1NFLS Homo sapiens cDNA clone IMAGE:201278 5' similar to SP:CLAT_HUMAN P28329 CHOLINE O-ACETYLTRANSFERASE, mRNA sequence," September 14, 1995.	
	T	GenBank Accession No. R73196, HILLIER et al., "yj91e06.r1 Soares breast 2NbHBst Homo sapiens cDNA clone IMAGE:156130 5' similar to SP:CLAT_HUMAN P28329 CHOLINE O-ACETYLTRANSFERASE, mRNA sequence," June 2, 1995.	
	U	GenBank Accession No. T71117, HILLIER et al., "yc50g07.r1 Stratagene liver (#937224) Homo sapiens cDNA clone IMAGE:84156 5' similar to SP:CLAT_HUMAN P28329 CHOLINE O-ACETYLTRANSFERASE, mRNA sequence," March 1, 1995.	
	V	GenBank Accession No. R08221, HILLIER et al., "yf18b06.r1 Soares fetal liver spleen 1NFLS Homo sapiens cDNA clone IMAGE:127187 5' similar to gb:S56138 CHOLINE O-ACETYLTRANSFERASE (HUMAN), mRNA sequence," April 5, 1995.	
	W	GenBank Accession No. R11960, HILLIER et al., "yf54f05.r1 Soares infant brain 1NIB Homo sapiens cDNA clone IMAGE:25856 5' similar to SP:CLAT_DROME P07668 CHOLINE O-ACETYLTRANSFERASE , mRNA sequence," April 11, 1995.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--